Remarks

Support for the amendment to Claim 7 can be found in the present specification on page 8, line 6.

Obviousness Rejections

a. Independent Claims 1, 9, and 31 and dependent Claims 2, 7, 8, 10-12, 32-34, and 39 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, USPP 2003/0117587 in view of Chang, USPP 2002/0183003 and further in view of Nesic, USPN 6,593,895.

b. Dependent Claims 4 and 35 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, and Rao, USPN 5,881,074.

c. Dependent Claims 5 and 36 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, and Edenson, USPN 7,006,995.

d. Dependent Claims 6 and 37 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, and Tehranchi, USPN 7,242,772.

e. Dependent Claim 14 has been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, and Edenson.

f. Dependent Claim 15 has been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, Rao, and Tehranchi.

g. Independent Claim 17 and dependent Claims 18, 22, and 23 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Nesic, and Yanagihara, USPN 5,712,946.

h. Dependent Claim 19 has been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Nesic, Edenson, and Rao.

i. Independent Claim 24 and dependent Claims 29 and 30 have been rejected under 35 U.S.C. §103 as being unpatentable over Olson, Chang, Nesic, Tehranchi, and Yanagihara.

Bases for Allowability

In addition to the removal of Nesic, for completeness Applicant will address the following.

Claim 1

Applicant previously observed that the recital in Claim 1 of the source and displayer not being disposed together in a common package rendered Claim 1 patentable because the relied-upon wireless transmission 14 of Chang clearly is unsuitable for and not at all intended to be applied to an in-room projection system. As Applicant explained, "the invention" of Chang uses near field couplers on both sides of a wireless medium that is only "several centimeters" or less and that is in an "enclosed package", Chang, paragraph 25; see also paragraph 27 (the MTL or CPW that can embody the wireless transmission medium 14 are either integral to the IC that holds the couplers that straddle the medium or in the same package with the couplers). According to Chang, not only does this avoid having to comply with the FCC (paragraph 25) but it also reduces the needed size of the antennas to below a square millimeter (paragraphs 24 and 25).

With this in mind, Chang clearly teaches away from any system that would employ a transmitter and receiver in separate packages from each other, i.e., Chang teaches away from off-package use of a wireless

medium because such use would defeat the purpose of Chang in shrinking antenna size and avoiding FCC compliance.

The examiner has responded that the above argument is not persuasive because Olson teaches the projector and data source being in two separate packages, Office Action, page 2, lines 6-9. What the examiner fails to recognize is that the examiner, not Applicant, seeks to modify Olson using the transmission system of Chang, and that the system of Chang won't work unless the transmitter and receiver are within millimeters of each other. This means that if Olson is to be modified with Chang as proposed by the examiner, it is constrained by Chang to contain its projector and data source in the same package. Nowhere has the examiner sought to identify a suggestion to somehow modify Chang's system - the one the examiner proposes to use in Olson - to work in a separated transmitter/receiver system, which renders Claim 1 patentable. This is not Applicant's fault; rather, it is the legally required outcome of the proposed modification to Olson (improper to pick and choose among elements in a reference; instead, references must be read in the entirety, W.L. Gore & Assoc. v. Garlock, 721 F.2d 1540 (Fed. Cir. 1983) (cert. den., 469 U.S. 851 (1984)). Here, nothing on the record explains how or why Chang's system might be sundered in two for use in a separated transmitter/receiver system.

Claim 9

Claim 9 now recites that the multimedia transmitter and receiver are on different surfaces from each other and for reasons above, modifying Olson with Chang as proposed to meet this new limitation is taught away from by Chang.

Claims 17 and 24

The trick play signals multiplexed into the ATV data as taught by Yanagihara, col. 13, lines 1-8 may not legitimately be construed as "capability signals" contrary to the allegation in the Office Action on page 11. The reason is simple. While limitations must not be imported from the specification into the claims, the claims must be read in light of the specification, of which they are a part, Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005) (*en banc*). Attention is drawn to the present specification, page 8, line 2 (trick play is a display function) and line 5 (in contrast, player capabilities are different than player functions and are used for a different purpose, e.g., source power/antenna control).

Thus, the sole evidence of record on the subject of whether trick play commands are "capability signals" resoundingly indicates that the answer is "no". No other evidence of record exists to support a construction of "capability signals" to encompass Yanagihara's trick play commands. Claims 7 and 24 are patentable.

Claim 31

Applicant has observed that Olson's remote control does not establish a source antenna beam control. As explained previously by Applicant, relied-upon paragraph 46 teaches only that a remote control can be used for control in general, and not for any specific type of control, much less the specific types of control set forth in Claim 31.

The examiner has responded that it is perfectly acceptable to regard "controlling the projector" using Olson's remote as being a "reasonably broad" interpretation of the claim language without explaining why. Applicant will remedy the shortfall of analysis and explain why it is not "reasonable" to regard the unspecified

signals of Olson's remote as the claimed "antenna beam control". The reason is simple. Typical remotes do not control beams, much less source antenna beams, and nothing in Olson indicates otherwise. Claim 31 as amended is patentable.

Dependent Claim 7

For the same reason (specific control signals not mentioned in Olson), dependent Claim 7 is patentable.

Respectfully submitted,

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